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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/400,222	09/21/1999	YOKO FUJIWARA	325772012000	3189

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EXAMINER
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BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/400,222	<b>Applicant(s)</b> FUJIWARA, YOKO	
	<b>Examiner</b> Stephen M. Brinich	<b>Art Unit</b> 2624	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,7,8,13,18,19,24,25 and 29 is/are rejected.
- 7) ☒ Claim(s) 3-6, 9-12, 14-17, 20-23, & 26-28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/27/05</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-2, 7-8, 13, 18-19, 24-25, & 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham et al in view of Pellar.

Re claims 1-2, 7-8, 13, 18-19, 24-25, & 29, Graham et al discloses (Figure 4; column 4, lines 64-66) an arrangement in which the image data of an input page is read and received, the halftone screen angle of the input page is determined based on its image data, and an output document is generated.

Graham et al does not disclose generating an output document using a new dither pattern having a different screen angle from among a plurality of alternatives. The selection of a new dither pattern from among a plurality of alternatives, such that the selected dither pattern has a different screen angle from a first dither pattern, is known as evidenced by Pellar (column 3, lines 14-18; column 3, line 66 - column 4, line 7). Pellar further teaches (column 2, lines 67-68) that using different halftone screens angles is desirable for the purpose of reducing Moiré pattern effects. The use of such variation of halftone screen angles in Graham et al in order to

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reduce Moiré pattern effects in the final output would be an expedient obvious to one of ordinary skill in the art.

***Allowable Subject Matter***

3. Claims 3-6, 9-12, 14-17, 20-23, & 26-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Re claims 3, 9, 14, & 20 (and dependent claims 4, 10, 15, & 21), the art of record does not teach or suggest the recited detection of screen angles for various colors and selection of different screen angles for each of these colors.

Re claim 26, the art of record does not teach or suggest the recited detection of screen angles for various colors and conversion to high resolution image data.

Re claims 5, 11, 16, 22, & 27, the art of record does not teach or suggest the recited comparison of image data to a plurality of detection patterns and counting of matches to determine an input image screen angle.

Re claims 6, 12, 17, 23 & 28, the art of record does not teach or suggest the recited calculation of average pixel

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densities around a particular pixel and determination of an input document screen angle based on a density maximum.

***Response to Arguments***

5. Applicant's arguments in the Response filed 11/18/05 with respect to the rejection of claims 24-28 under 35 USC §101 have been fully considered and are persuasive. The rejection of claims 24-28 under 35 USC §101 has been withdrawn.

6. Applicant's arguments filed 11/18/05 with respect to the rejections of claims 1-2, 7-8, 18-19, 24-25, & 29 under 35 USC §103 have been fully considered but they are not persuasive.

Re claim 1, Applicant argues (11/18/05 Response: page 9, lines 9-17) that the combination of Graham and Pellar fails to teach the claimed invention, specifically, that Pellar does not teach or suggest that the screen angle of the original image is referenced to control the screen angle of the dot pattern.

Applicant further argues (11/18/05 Response: page 9, line 18 - page 10, line 9) that Graham does not teach or suggest the selection of a dither pattern from a plurality of dither patterns with a different screen angle from the detected screen angle, but only that the original halftone angle is detected (Graham: Figures 5-9; column 7, lines 32-35).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking

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references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Re claim 1, Applicant argues (11/18/05 Response: page 9, line 18 - page 10, line 9) that neither Graham nor Pellar teaches the feature of "a set up unit selecting from a plurality of dither patterns a dither pattern with a screen angle different from the detected screen angle and setting up the dither pattern."

This feature is composed of two elements: 1) detection of a screen angle and 2) selection from a plurality of dither patterns a dither pattern having a screen angle different from another specified screen angle. As noted above, Examiner relies upon Graham for the former element and Pellar for the latter element. Applicant's argument that neither reference teaches the combined feature is thus another variation of the argument attacking references individually where the rejection is based on a combination of references.

Re claims 2-29, Applicant argues (11/18/05 Response: page 10, lines 10-12) that the remaining independent claims (7, 13, 18, 24, & 29) are allowable for the same reasons as claim 1, and that the dependent claims (2-6, 8-12, 14-17, 19-23, & 25-28) are

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allowable by virtue of their dependencies from their respective dependencies.

The arguments re claim 1 on which this argument is based have been addressed above.

**Conclusion**

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning

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application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 703-308-4357.

The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Stephen M Brinich  
Examiner  
Art Unit 2624

smb   
February 2, 2006



THOMAS D. MOORE  
SUPERVISOR